

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MR. JEREMY LEVIN and DR. LUCILLE
LEVIN,

Plaintiffs,

-v-

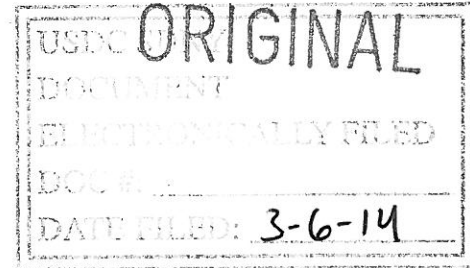
ISLAMIC REPUBLIC OF Iran; IRANIAN
MINISTRY OF INFORMATION AND
SECURITY; and IRANIAN ISLAMIC
REVOLUTIONARY GUARD CORP.,

Defendants.

Civ. No. M18-302

14 MISC 00411

**[PROPOSED] ORDER DIRECTING *Mc*
THE CLERK TO ISSUE WRITS OF
EXECUTION IN SATISFACTION
OF 28 U.S.C. § 1610(c)**



Upon consideration of the Petitioners' Motion and Application pursuant to 28 U.S.C. §1610 for an Order finding that a reasonable period of time has elapsed and directing the Clerk to issue Writs of Execution to enforce a Judgment entered in favor of Petitioners in the underlying matter in United States District Court for the District of Columbia and duly registered in this Court against property of the Islamic Republic of Iran, the Iranian Ministry of Information and Security, and the Iranian Islamic Revolutionary Guard Corp ("Iranian Judgment Debtors") and their agencies and instrumentalities, held in this District by Citibank, N.A., JPMorgan Chase, N.A. and/or JP Morgan Chase & Co., the Bank of New York Mellon and Societe Generale ("Garnishees" or "New York Banks"), the supporting Memorandum of Law dated February 21, 2014, and the accompanying Declaration of Suzelle Smith dated February 20, 2014; the Court makes the following findings:

1. On February 6, 2008, the United States District Court for the District of Columbia entered judgment in the amount of \$28,807,719.00 against the Islamic Republic of Iran, the Iranian Ministry of Information and Security, and the Iranian Islamic Revolutionary Guard Corp (“Iranian Judgment Debtors”) in favor of Petitioners in an action brought under 28 U.S.C. § 1605(a)(7). *Levin v. Islamic Republic of Iran*, 529 F. Supp. 2d 1, 5-13 (D.D.C. 2007). Pursuant to 28 U.S.C. §1961, Petitioners are also entitled to post judgment interest.
2. Judgment Creditors gave notice of the entry of judgment to Iranian Judgment Debtors through court and diplomatic channels on October 14, 2008, pursuant to the Foreign Sovereign Immunities Act (“FSIA”), 28 U.S.C. §1608(e). See Ex. ³ ~~A~~ *to Smith Decl.*, Letter from William P. Fritzlen to Nancy Mayer-Whittington, dated January 16, 2009.
3. On April 20, 2009, Judgment Creditors registered their judgment in this Court, Docket Number M18-302. See Ex. ³ ~~C~~ *to Smith Decl.*, Certification of Judgment *For Registration in Another District*, *Levin v. Islamic Republic of Iran*, No. M18-302 (S.D.N.Y. Apr. 20, 2009).
4. Petitioners have identified property of the Judgment Debtors, the Islamic Republic of Iran, the Iranian Ministry of Information and Security, and the Iranian Islamic Revolutionary Guard Corp and their agencies and instrumentalities (“the Property”), including but not limited to assets blocked (“Blocked Assets”) by the Office of Foreign Asset Control (“OFAC”) held in this District by the New York Banks.

5. More than 6 years have passed between the entry of judgment against Iranian Judgment Debtors and the giving of notice to the Iranian Judgment Debtors under 28 U.S.C. § 1608(e) and the registration of Petitioners' judgment in this District; which period the Court finds is a reasonable time period before the issuance of writs of execution under 28 U.S.C. § 1610(c) and satisfies 28 U.S.C. § 1610(c); therefore;

IT IS ORDERED that, in accordance with 28 U.S.C. § 1610(c), the Court directs the Clerk of the Court to issue Writs of Execution with respect to the Property for the Judgment registered by Petitioners in this Court; and it is further

ORDERED that the Clerk of this Court is authorized and directed to issue such further writs in aid of execution as warranted under, and in accordance with Rule 69 of the federal Rules of Civil Procedure consistent with this Order.

IT IS SO ORDERED.

Dated: New York, New York
February _____, 2014

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Paul A. Crotty

JUDGE OF THE UNITED STATES
DISTRICT COURT, SOUTHERN DISTRICT
OF NEW YORK

Paul